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**FACSIMILE TRANSMITTAL
FORM***(to be used for all correspondence after
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Application Number	09/575,277
Filing Date	05/22/2000
First Named Inventor	Roger K. Cady
Group Art Unit	1614
Examiner Name	Kwon, Brian Yong

Total Number of Pages in This Submission 4 Attorney Docket No. 57294-012

ENCLOSURES (check all that apply)

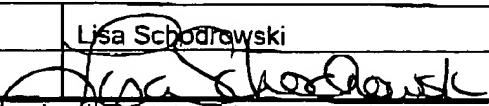
<input type="checkbox"/> Charge Deposit Account -08-3460 <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Request To Rescind Previous Nonpublication Request <input type="checkbox"/> Response to Notice of Allowability <input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Response to Missing Parts Incomplete Response	Remarks: <input type="checkbox"/> Commissioner is hereby authorized to charge fees in this application and any fees which may be required, or any overpayment, to Deposit Account 08-3460. I have enclosed a duplicate copy of this sheet <input type="checkbox"/> Amount: \$	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<input type="checkbox"/> Petition For Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b))		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	H. Frederick Rusche
Signature	
Date	10/10/2003

**CERTIFICATE OF FACSIMILE
37 CFR 1.18**I hereby certify that this document is being transmitted via facsimile to fax number (703)308-4556 to MAIL STOP AF, Commissioner for Patents, Alexandria, VA 22313-1450.

Date 10/10/2003

Typed or printed name	Lisa Schodrowski
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Date	10/10/2003

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Appl. No. 09/575,277
 Amdt. dated 10 October 2003
 Reply to Office Communication of 10 September 2003

OFFICIAL

Appl. No. : 09/575,277
 Applicant : Roger K. Cady, et al.
 Filed : 05/22/2000
 Title : Preemptive Prophylaxis of Migraine
 TC/A.U. : 1614
 Examiner : Brian Kwon
 Docket No. : 57294-012

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Box Non-Fee Amendment
Honorable Commissioner of Patents
Washington, D.C. 20231

RESPONSE TO NOTICE OF INCOMPLETE RESPONSE

Sir:

In response to the Restriction/Election Requirement dated 21 March 2003, applicant elected Invention Group IV without traverse. Invention Group IV includes claims 19-35 and 38-40. Claims 17, 36, and 37 were amended to be included in this Invention Group. In addition, new claims 41-54 were added and depend from claim 31, which is part of Invention Group IV.

In the Notice of Incomplete Response dated 10 September 2003, the Examiner indicated that applicant failed to elect a single species as required by the original Restriction/Election Requirement of 21 March 2003. During a telephone conference between the Examiner and the undersigned on 9 October 2003, the Examiner advised the applicant to select one 5HT₁ agonist and one non-narcotic analgesic to satisfy the election requirement. Therefore, applicant hereby elects the species in Invention Group IV relating to the use of naratriptan as the 5HT₁ agonist and COX-2 inhibitors as the non-narcotic analgesic. Claims 27, 32, 43, and 44 are directed to naratriptan. Claims 30, 35, 39, and 40 are directed to COX-2 inhibitors.